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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/896,576      | 06/29/2001  | Jean-Marc Villaret   | 10013448-1          | 7792             |
| 7590            | 07/17/2006  |                      | EXAMINER            |                  |
|                 |             |                      | GRAHAM, CLEMENT B   |                  |
|                 |             |                      | ART UNIT            | PAPER NUMBER     |
|                 |             |                      | 3628                |                  |

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                     |  |
|------------------------------|-------------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b>        | <b>Applicant(s)</b> |  |
|                              | 09/896,576                    | VILLARET ET AL.     |  |
|                              | Examiner<br>Clement B. Graham | Art Unit<br>3628    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 April 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6,8-10 and 12-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6, 8-10, and 12-17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
- 1. Certified copies of the priority documents have been received.
  - 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-6, 8-10, and 12-17, remained pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsiounis et al (Hereinafter Tsiounis U.S Pub: 20010039535) in view of Garnet U.S Patent 7, 013, 352.

As per claim 1, Tsiounis discloses a payment processing system comprising: a plurality of data communications devices adapted to transmit a plurality of payment requests in connection with purchases, each data communications devices configured to transmit the payment requests via a communication channels of one of a plurality of protocol types, wherein each protocol type is different from others of the plurality of protocol types (i. e, protocols" see paragraphs 0025 and 0008") and each payment request includes a merchant identification code(i. e, merchant id number" see paragraph 0036) and a set of customer financial account data.(see note abstract and see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) a payment server(see paragraph 00080) arrangement including a database configured with a plurality of merchant identification codes, each merchant identification code associated with a financial institution identification code in the database the payment server arrangement further including a plurality of adapter modules coupled to the database, each adapter module executable on the server arrangement, compatible with one of the plurality of protocol types see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069), and coupled to a respective one of the communications channels, each having a payment processing application configured to identify from the database a financial institution identification code associated with the merchant identification code from a payment request and interface with a data processing system of a the-financial institution identified by the financial institution identification code consistent with a communications protocol associated with the identified financial institution, see

paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) and provide the merchant identification code and set of customer financial account data to the identified financial institution for payment to a merchant identified by the merchant identification code and receive the payment requests from the data communications devices. see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069)

Tsiounis fail to explicitly teach adapter module adapted respective channels each of the adapter modules.

However Garnet discloses for example a blade server can be provided for a high density computer system. To enhance reliability, multiple redundant information connections can be provided from the server blade. In the specifically described examples of the invention, the use of a serializer/deserializer as a physical layer interface in a blade server means that the communication of information signals can be effected using any one of a plurality of different information protocols, by way of example only, an Ethernet or an Infiniband protocol. The decision on which information protocol to be used in a particular example can be decided in advance by providing a selected information protocol interface in the information processing modules.

Alternatively, the selection of the appropriate information protocol interface can be effected dynamically at initialization or in use of the information processing module by including a plurality of information protocol interfaces for different protocol and enabling selection of the appropriate information protocol interface. Although in the described examples, two information protocols are described, namely an Ethernet protocol and an Infiniband protocol, it will be appreciated that the invention is not limited thereto and that other information protocols and/or more than two information protocols can be supported.(see column 1 lines 39-59 and column 2 lines 20-35 and column 33 lines 19-33 and column 38 lines 32-55).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teachings of Tsiounis to include adapter module adapted respective channels each of the adapter modules taught by Garnet in order to facilitate the buying and selling of products and services.

As per claim 2, Tsiounis discloses the payment processing system of claim 1, wherein at least one of the adapter modules is configured to communicate data with a mobile communications device consistent with an SSUSET communications protocol thereby ensuring a high level of security in communicating the customer financial account data. .(see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 3, Tsiounis discloses further comprising a customer financial server responsive to the mobile communications device and communicatively coupled to the payment server, the customer-controlled server configured to transmit the set of customer financial account data at the high level of security sought by the financial institution.(see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 4, Tsiounis discloses wherein at least one of the adapter modules is configured to communicate data with an POS terminal consistent with a POS communications protocol thereby ensuring a high level of securing in communicating the customer financial account data. .(see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 5, Tsiounis discloses wherein at least one of the adapter modules is configured to communicate data with a set top box arrangement consistent with a cable network communications protocol thereby ensuring a high level of securing in communicating the customer financial account data.(see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 6, Tsiounis discloses wherein at least one of the adapter modules is configured to communicate data with a set top box arrangement consistent with a satellite network communications protocol thereby ensuring a high level of securing in communicating the customer financial account data. (see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 8, Tsiounis discloses further comprising a merchant transactions database that includes historical information of payments processed by the payment server arrangement, wherein the historical information is configurable for demographic research.(see note abstract and see paragraph 0007, 0008, 0023-0069).

A per claim 9, Tsiounis discloses wherein the at least one of the adapter modules configured to communicate with a mobile communications device is also configured to communicate data with a vending machine and a kiosk, thereby reducing the number of adapter modules dedicated to the data communications devices. (see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 10, Tsiounis discloses a payment request processing arrangement configured and arranged for communication with a plurality of data communication devices via and communication with a plurality of data processing systems located at a plurality of financial institutions, each data communication device configured to transmit a payment request via a communication channel of one of a plurality of protocol types. wherein each protocol type is different from others of the plurality of protocol types, the arrangement comprising:

a payment server configured and arranged to be responsive to the plurality of data communications devices and including a database configured with a plurality of merchant identification codes each merchant identification code associated with a financial institution identification code in the database, the payment server further including a plurality of adapter modules coupled to the database, each adapter module executable on the server, compatible with one of the plurality of protocol types, and coupled to a respective one of the communications channels.(see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) wherein each payment request includes a merchant identification code and a set of customer financial account data.(see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) having a payment processing application configured to identify from the database a financial institution identification code associated with the merchant identification code from a payment request and interface with a data processing system of a financial institution identified by the financial institution identification code consistent with a communications protocol associated with the identified financial institution, and provide the merchant identification code and set of customer financial account data to the identified financial institution for payment to a merchant identified by the merchant identification code.(see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069).

Tsiounis fail to explicitly teach adapter module.

However Garnet discloses for example a blade server can be provided for a high density computer system. To enhance reliability, multiple redundant information connections can be provided from the server blade. In the specifically described examples of the invention, the use of a serializer/deserializer as a physical layer interface in a blade server means that the communication of information signals can be effected using any one of a plurality of different information protocols, by way of example only, an Ethernet or an Infiniband protocol. The decision on which information protocol to be used in a particular example can be decided in advance by providing a selected information protocol interface in the information processing modules.

Alternatively, the selection of the appropriate information protocol interface can be effected dynamically at initialization or in use of the information processing module by including a plurality of information protocol interfaces for different protocol and enabling selection of the appropriate information protocol interface. Although in the described examples, two information protocols are described, namely an Ethernet protocol and an Infiniband protocol, it will be appreciated that the invention is not limited thereto and that other information protocols and/or more than two information protocols can be supported.(see column 1 lines 39-59 and column 2 lines 20-35 and column 33 lines 19-33 and column 38 lines 32-55).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teachings of Tsiounis to include adapter module taught by Garnet in order to facilitate the buying and selling of products and services.

As per claim 12, Tsiounis discloses further comprising a merchant transactions database that includes historical information of payments processed by the payment server arrangement, wherein the historical information is configurable for demographic research. (see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 13, Tsiounis discloses wherein at least one of the adapter modules is configured to communicate data with a set top box arrangement consistent with a cable network communications protocol thereby ensuring a high level of securing in

communicating the customer financial account data.(see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 14, Tsiounis discloses a system for processing payment requests from a plurality of data communications devices, each payment request including a merchant identification code and a set of customer financial data, the system comprising:

a plurality of adapter modules, each adapter module configured to interface with one or more of the communications devices via a selected one of a plurals of communications channels, wherein each communications channel is one of a plurality of protocol types, and each protocol type is different from others of the plurality of protocol types. (see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) means for receiving payment requests from the data communications devices at the communications channels;

a database configured with a plurals of merchant identification codes, each merchant identification code associated with a financial institution identification code in the database. see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) means for identifying from the database for each payment request, the financial institutions code associated with the merchant identification codes from the payment request, each financial institutions code identifying a financial institution having an associated data processing system for processing payment requests; and means for interfacing with the data processing systems of the financial institutions consistent with payment protocols associated with the financial institutions to provide the merchant identification codes and sets of customer financial account data to the identified financial institutions for payment to merchants identified by the merchant identification codes of payment request.(see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069).

Tsiounis fail to explicitly teach a plurality of adapter modules, each adapter module.

However Garnet discloses for example a blade server can be provided for a high density computer system. To enhance reliability, multiple redundant information connections can be provided from the server blade. In the specifically described examples of the invention, the use of a serializer/deserializer as a physical layer

interface in a blade server means that the communication of information signals can be effected using any one of a plurality of different information protocols, by way of example only, an Ethernet or an Infiniband protocol. The decision on which information protocol to be used in a particular example can be decided in advance by providing a selected information protocol interface in the information processing modules.

Alternatively, the selection of the appropriate information protocol interface can be effected dynamically at initialization or in use of the information processing module by including a plurality of information protocol interfaces for different protocol and enabling selection of the appropriate information protocol interface. Although in the described examples, two information protocols are described, namely an Ethernet protocol and an Infiniband protocol, it will be appreciated that the invention is not limited thereto and that other information protocols and/or more than two information protocols can be supported.(see column 1 lines 39-59 and column 2 lines 20-35 and column 33 lines 19-33 and column 38 lines 32-55).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teachings of Tsionis to include plurality of adapter modules, each adapter module taught by Garnet in order to facilitate the buying and selling of products and services.

As per claim 15, Tsionis discloses a computer-implemented method for processing payment requests from a plurality of data communications devices, each payment request including a merchant identification code and a set of customer financial data, the method comprising:

configured to interface with one or more of the communications devices via a selected one of a plurality of communications channels, wherein each communications channel is one of a plurality of protocol types, and each protocol type is different from others of the plurality of protocol types.(see note abstract and see paragraph 0007, 0008, 0023-0069) configuring a database with a plurality of merchant identification codes and financial institution identification codes wherein each merchant identification code is associated with a financial institution identification code in the database receiving payment requests from the data communications devices at the adapter modules via

the communications channels. .(see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) identifying, using the database for each payment request, the financial institutions code associated with the merchant identification codes, each financial institution identified by a financial institution code having an associated data processing system for processing payment requests.(see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069) and interfacing, for each payment request, with the data processing systems of the identified financial institutions consistent with a payment protocols associated with the identified financial institutions, and providing the merchant identification code and set of customer financial account data to the identified financial institution for payment to a merchant identified by the merchant identification code.(see paragraphs 0007-0009, 0025 and 0036 and 00080 0023-0069).

Tsiounis fail to explicitly teach a plurality of adapter modules, each adapter module.

However Garnet discloses for example a blade server can be provided for a high density computer system. To enhance reliability, multiple redundant information connections can be provided from the server blade. In the specifically described examples of the invention, the use of a serializer/deserializer as a physical layer interface in a blade server means that the communication of information signals can be effected using any one of a plurality of different information protocols, by way of example only, an Ethernet or an Infiniband protocol. The decision on which information protocol to be used in a particular example can be decided in advance by providing a selected information protocol interface in the information processing modules.

Alternatively, the selection of the appropriate information protocol interface can be effected dynamically at initialization or in use of the information processing module by including a plurality of information protocol interfaces for different protocol and enabling selection of the appropriate information protocol interface. Although in the described examples, two information protocols are described, namely an Ethernet protocol and an Infiniband protocol, it will be appreciated that the invention is not limited thereto and that other information protocols and/or more than two information protocols can be supported.(see column 1 lines 39-59 and column 2 lines 20-35 and column 33 lines 19-33 and column 38 lines 32-55).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teachings of Tsounis to include plurality of adapter modules, each adapter module taught by Garnet in order to facilitate the buying and selling of products and services.

As per claim 16, Tsounis discloses after the interfacing step, further comprising: processing payment at the identified financial institutions; and storing the processed payment as data in a merchant transactions database. (see note abstract and see paragraph 0007, 0008, 0023-0069).

As per claim 17, Tsounis discloses wherein the step of identifying the financial institutions includes providing a merchant/bank identification database that includes historical information of processed payments, wherein the historical information is configurable for demographic research. (see note abstract and see paragraph 0007, 0008, 0023-0069).

#### Conclusion

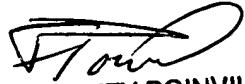
#### Response to Arguments

3. Applicant's argument filed 04/25/06 has been fully considered but they are moot in view of new grounds of rejections.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



FRANTZY POINVIL  
PRIMARY EXAMINER  
*Au 3628*